

Practitioner's Docket No. MP101-014P1RNM

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of:	Curtis, Rory A.J., et al	Group No.:	1645
Application No.:	10/050,216	Examiner:	N/A
Filed:	January 16, 2002		
For:	46798, A HUMAN MATRIX METALLOPROTEINASE AND USES THEREFOR		

Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING
INFORMATION DISCLOSURE STATEMENT

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The information disclosure statement submitted herewith is being filed:

☒ Within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. section 1.97(b).

OR

☐ After three months of the filing date of this national application or the date of entry of the national stage as set forth in Section 1.491 in an international application or after the mailing date of the first Office action on the merits, whichever event occurred last but **before** the mailing date of either:

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☒ deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

37 C.F.R. SECTION 1.8(a)

37 C.F.R. SECTION 1.10*

☒ with sufficient postage as first class mail.

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TRANSMISSION

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Signature

Simonne Corriveau

(type or print name of person certifying)

Date: August 12, 2002

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- (1) a final action under Section 1.113,
- (2) a notice of allowance under Section 1.311, or
- (3) an action that otherwise closes prosecution in the application

whichever occurs first.

☐ Accompanying this transmittal is the fee set forth in 37 C.F.R. Section 1.17(p) for submission of an information disclosure statement under Section 1.97(c). (\$180.00).

☐ Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(1).

☒ No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and to the knowledge of the person signing the statement after making reasonable inquiry, was known to any individual designated in Section 1.56(c) more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(2).

OR

☐ The information disclosure statement transmitted herewith is being filed *after* a final action under Section 1.113, or a notice of allowance under Section 1.311, whichever occurs first, but before, or simultaneously with, the payment of the issue fee.

☐ In accordance with the requirements of 37 C.F.R. Section 1.97(d):

A. ☐ Accompanying this transmittal is the fee set forth in 37 C.F.R. Section 1.17(p) for submission of an information disclosure statement under Section 1.97(c). (\$180.00).

B. ☐ Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(1).

C. ☐ No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and to the knowledge of the person signing the statement after making reasonable inquiry, was known to any individual designated in Section 1.56(c) more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(2).

FEE PAYMENT

3. ☐ The fee due is set forth in 37 C.F.R. Section 1.17(p) for submission of an information disclosure statement under Section 1.97(c) (\$180.00).

☒ Applicant believes no fee is due in connection with this submission.

	Fee due	\$0.00
METHOD OF PAYMENT OF FEE		
4. <input type="checkbox"/> Attached is a check in the amount of \$ _____.		
<input type="checkbox"/> Charge Account No. 501668 in the amount of	\$0.00	.

☒ A duplicate of this request is attached.

If any additional fees are due, please charge Account 501668.

<u>August 12, 2002</u>	MILLENNIUM PHARMACEUTICALS, INC. By <u>Tracy M. Sioussat</u> Tracy M. Sioussat Registration No. 50,609 75 Sidney Street Cambridge, MA 02139 Telephone - 617-374-7679 Facsimile - 617-551-8820
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Practitioner's Docket No. MPI01-014P1RNM

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Curtis, Rory A.J., et al

Application No.: 10/050,216

Group No.: 1645

Filed: January 16, 2002

Examiner: N/A

For: 46798, A HUMAN MATRIX METALLOPROTEINASE AND USES THEREFOR

**Commissioner for Patents
Washington, D.C. 20231**

INFORMATION DISCLOSURE STATEMENT

List of Sections Forming Part of This Information Disclosure Statement

The following sections are being submitted for this Information Disclosure Statement:

1. ☒ Preliminary Statements
2. ☒ Forms PTO/SB/08A and 08B (substitute for Form PTO-1449)
3. ☒ Copies of Listed Information Items Accompanying This Statement

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TRANSMISSION

- ☐ transmitted by facsimile to the Patent and Trademark Office.

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Simonne Corriveau
Simonne Corriveau

(type or print name of person certifying)

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Preliminary statements

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. section 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

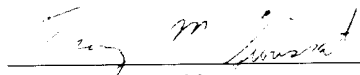
Copies of Listed Information Items Accompanying This Statement

Legible copies of all items listed in Forms PTO/SB/08A and 08B (substitute for Form PTO-1449) accompany this information statement.

August 12, 2002

MILLENNIUM PHARMACEUTICALS, INC.

By



Tracy M. Sioussat
Registration No. 50,609
75 Sidney Street
Cambridge, MA 02139
Telephone - 617-374-7679
Facsimile - 617-551-8820

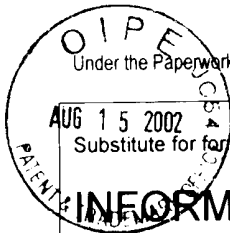
Please type a plus sign (+) inside this box → ☐

PTO/SB/08A (10-96)

Approved for use through 10/31/99 OMB 0654-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	10/050216
Filing Date	January 16, 2002
First Named Inventor	Curtis, Rory A. J. et al.
Group Art Unit	1645
Examiner Name	N/A
Attorney Docket Number	MPI01-014P1RNM

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document (MM-DD-YYYY)	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A1	6,399,371	B1	Abbott Laboratories	06-04-2002	5, 22, 40, 42, 43 and 44
	A2					
	A3					
	A4					
	A5					
	A6					
	A7					
	A8					
	A9					
	A10					
	A11					
	A12					
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	A14					
	A15					

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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document (MM-DD-YYYY)	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	B1	WO	01/10903	A2	Incyte Genomics, Inc.	02-15-2001	23, 69, 78, 81, 86, 87 and 41 of Sequence Listing	
	B2	WO	01/90326	A2	Pharmacia & Upjohn Company	11-29-2001	17, 19, 30, 53 and 3 of Sequence Listing	
	B3	WO	01/55428	A2	Smithkline Beecham P.L.C.	08-02-2001	2-5, 8, 9, 22-24 and 1 of Sequence Listing	
	B4							
	B5							
	B6							

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation design number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, D.C. 20231.

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STATEMENT BY APPLICANT

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Sheet 1 of 1

Complete if Known

Application Number	10/050,216
Filing Date	January 16, 2002
First Named Inventor	Curtis, Rory A. J. et al.
Group Art Unit	1645
Examiner Name	N/A
Attorney Docket Number	MPI01-014P1RNM

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include the name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and-or country where published.	T ²
	C1	LOHI, J. et al. "Homo sapiens matrix metalloproteinase-28 precursor, mRNA, complete cds" 26 March 2001 (sequence) GenBank [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on August 5, 2002]. Retrieved from the Internet: <URL: http://www.ncbi.nlm.nih.gov > GenBank Accession No. AF219624.	
	C2	MARCHENKO, G.N. et al. "Homo sapiens matrix metalloproteinase 28 (MMP28) mRNA, complete cds." 06 April 2001 (sequence) GenBank [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on August 5, 2002]. Retrieved from the Internet: <URL: http://www.ncbi.nlm.nih.gov > GenBank Accession No. AF315683.	
	C3	STRAUSBERG, R. "Homo sapiens, clone MGC: 4164 IMAGE:3610296, mRNA, complete cds." 12 July 2001 (sequence) GenBank [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on August 5, 2002]. Retrieved from the Internet: <URL: http://www.ncbi.nlm.nih.gov > GenBank Accession No. BC002631.	
	C4	BIRREN, B. et al. "Homo sapiens chromosome 17 clone RP11-689E22 map 17, WORKING DRAFT SEQUENCE, 8 unordered pieces." (sequence) GenBank [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on August 5, 2002]. Retrieved from the Internet: <URL: http://www.ncbi.nlm.nih.gov > GenBank Accession No. AC023247.	
	C5	SOUTHAN, C. et al. "Homo sapiens matrix metalloprotease MMP25, mRNA, complete cds." (sequence) GenBank [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on August 5, 2002]. Retrieved from the Internet: <URL: http://www.ncbi.nlm.nih.gov > GenBank Accession No. AF330002.	

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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